

NICHOLAS A. TRUTANICH
United States Attorney
Nevada Bar Number 13644
NICHOLAS D. DICKINSON
Assistant United States Attorney
501 Las Vegas Blvd. S, Ste. 1100
Las Vegas, Nevada 89101
702-388-6336
Nicholas.dickinson@usdoj.gov
Attorneys for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

United States of America,

Plaintiff,

v.

Ronald Sandlin,

Defendant.

2:21-mj-00110-DJA

Government's Detention Memorandum

I. Introduction

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully submits this memorandum in support of its motion that the defendant be detained pending trial pursuant to 18 U.S.C. §§ 3142 (f)(2)(A) (Serious Risk of Flight) and 3142(f)(2)(B) (Serious Risk to Obstruct Justice). The government requests that the following points and authorities, as well as any other facts, arguments and authorities presented at the detention hearing, be considered in the Court's determination regarding pretrial detention.

II. Procedural History and Applicable Authority

On January 20, 2021, the District Court for the District of Columbia issued an arrest warrant pursuant to the filed complaint charging the defendant Ronald Sandlin with two felony counts of Obstructing Law Enforcement Incident to Civil Disorder (in violation of 18 U.S.C. § 231(a)(3)), based on two separate assaults on law enforcement officers, and two misdemeanor counts related to his unlawful and disorderly conduct at the U.S. Capitol Grounds and U.S. Capitol Building. These charges stemmed from his actions on January 6, 2021, during the timeframe a joint session of the United States Congress had convened to certify the vote count of the Electoral College of the 2020 Presidential Election.

On January 28, 2021, Sandlin was arrested in the District of Nevada pursuant to the arrest warrant mentioned above. The government is filing this detention memorandum and is prepared to proceed to argument at the initial appearance scheduled today. The government seeks detention pursuant to 18 U.S.C. § 3142 (f)(2)(A) & (B), as there is proof by a preponderance of the evidence that the defendant poses a serious risk of flight. Alternatively, the government seeks detention pursuant to 18 U.S.C. § 3142 (f)(2)(B), as there is clear and convincing evidence that the defendant poses a serious risk to obstruct justice.

Once the statutory basis for detention is established, the Bail Reform Act permits a judicial officer to hold an individual without bond pending trial if the officer finds clear and convincing evidence that “no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(e). Under the Bail Reform Act, the Government may proceed by way of proffer. *See, e.g., United States v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir.

1996); *United States v. Cabrera-Ortigoza*, 196 F.R.D. 271 (S.D. Cal. 2000); *United States v. Hong Vo*, 978 F. Supp. 2d 41, 42 (D.D.C. 2013). Because there is no condition or combination of conditions that will reasonably assure Sandlin's appearance in court and the safety of any other person and the community, he should be detained.

III. Factual Background

A. The Attack on the United States Capitol on January 6, 2021

Following the events of January 6, 2021, the Metropolitan Police Department (MPD) received a tip on its tip line containing what appears to be an audio/video recording of two shorter video clips. Both videos depicted the same individual wearing a bright orange sweatshirt, black rimmed glasses with a gold colored nose piece, and a baseball cap inside the U.S. Capitol, who was later identified as Sandlin. Sandlin appeared in the video with several unidentified subjects in the background throughout the entirety of the video. In the first "selfie"-styled¹ video clip, Sandlin appeared emotional, stating "we did it." In the second "selfie"-style video clip, Sandlin stated "we breached the building, we breached the building, into our Capitol."

Further investigation revealed Twitter posts from an account named Cleavon_MD. The first post read "Meet Ronnie Sandlin who stormed the Capitol: 'We did it We did it.'" This post contained a "selfie"-styled video that captured the same scenes and audio as that of the video in the MPD tip described above. The second post was a photo from the internet of what appeared to be Sandlin wearing a suit. The next two photos below were posted on the account appeared to be screenshots from a Facebook account under the

¹ Individuals take "selfie"-style photographs and videos using digital devices, such as a camera or cell phone with a built-in camera, by holding the device and pointing it towards themselves.

1 name “Ronnie Sandlin.” One screenshot contained what appeared to be videos of Sandlin
2 walking inside the Capitol building in the same bright orange sweatshirt and black rimmed
3 glasses, and the other screenshot was a comment posted from the “Ronnie Sandlin”
4 Facebook account on January 6 at 9:56 PM, which read: “Who has a contact with TMZ
5 and/or Epoch Times? Thanks patriots. I have the truth not the media lies. What I haven’t
6 shown will show the REAL truth. We are not terrorists. We occupied and for the most
7 part left that place relatively put together all things considered.”

8 In response to the above post, one Facebook user responded, “Bro, are you ok?” and
9 then proceeded to describe incriminating clips that Sandlin had posted to his Facebook,
10 such as “[a] clip of you where the people with/around you are calling for the theft of federal
11 property, including high-security laptops & paperwork,” and even more damning, “[a] clip
12 of you trying to demand access to where the actual senators were being kept & telling the
13 guard ‘we’ve already forced our way into other places.’”

14 In response to legal process, Facebook provided subscriber information and internet
15 protocol (IP) addresses for the “Ronnie Sandlin” Facebook account described above,
16 including the following information: the account had a registered email address of
17 icheckthisemail@gmail.com and was linked to a phone number ending in -4261. A search
18 of records lists this -4261 phone number in connection with a “Ronald Sandlin” located in
19 Memphis, TN. Open records searches further revealed that this email address and phone
20 number were linked to a Facebook account with the username “RevenueExploder” that
21 pertained to a “Ronnie Sandlin” with the same birth date as Sandlin, per government
22 records. A search of open source and law enforcement records further connected the phone
23 number ending in -4261 to Sandlin.

1 On January 17, 2021, FBI investigators sent legal process to T-Mobile for subscriber
2 information for the phone number ending in -4261. In response, T-Mobile returned the
3 following information: the phone number ending in -4261 is registered to Sandlin, as
4 identified by his date of birth, social security number, and address on file in government
5 records; the account for the phone number is still active; and on the day of the Capitol riot,
6 the phone number made or received 35 phone calls or texts.

7 The investigation also revealed a New York Post article posted on January 9, 2021,
8 at 5:09 p.m., titled “Video shows rioter smoking pot in the Capitol Rotunda during siege.”
9 This article contained photos and videos, including the videos originally received in the
10 MPD tip and photos of Sandlin in the bright orange sweatshirt and black rimmed glasses
11 inside the Capitol. In the “selfie”-styled videos, Sandlin can be seen in the Capitol and
12 heard stating “we made history guys. People are smoking weed in here. Please, may I
13 please hit that...I am smoking weed. Thank you patriot. We made history in here.” In one
14 video, Sandlin is observed smoking a type of rolled cigarette consistent with a “joint,” which
15 is typically used to smoke marijuana.

16 A copy of surveillance video footage obtained from an internal security camera
17 covering a hallway in the U.S. Capitol Senate Gallery with a date and time stamp reading
18 Wednesday, January 06, 2021, at 2:41:28 PM, provides a view of a hallway and several sets
19 of doors to rooms or areas out of the view of the camera. The beginning of the video clip
20 showed several unidentified subjects in the hallway. A U.S. Capitol Police (USCP) officer
21 (hereinafter referred to as “USCP1”) is seen entering one of these sets of doors and is shortly
22 joined by two other USCP officers (“USCP2” and “USCP3”). As part of their official
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1 duties, USCP1, USCP2, and USCP3 were clearing individuals out of rooms and securing
2 the doors.

3 Approximately 27 seconds into the video clip, Sandlin entered the view of the
4 security camera wearing a bright orange sweatshirt, baseball cap, backpack, a second
5 smaller bag over his shoulder, and what appeared to be camera equipment, including a
6 camera and a small tripod. Shortly thereafter, USCP2 and USCP3 moved toward the
7 second set of doors to start to usher people out, while USCP1 finished locking the first set of
8 doors. Sandlin is seen walking next to USCP1 as he approached the second set of doors,
9 and while USCP2 is attempting to close the second set of doors. Sandlin is observed cutting
10 in front of USCP1 and attempting to wrestle the door away from USCP2. This wrestling to
11 keep the door open causes Sandlin and several other unidentified subjects to become
12 engaged in a shoving match with the USCP officers. Sandlin is observed backing away
13 from USCP2 and charging back at USCP2, while USCP2 is facing away from Sandlin.
14 While this shoving match transpires, the three USCPs are without backup in a hallway
15 surrounded by what appeared to be at least 20 individuals. As the three USCPs make their
16 way away from the crowd down the hallway and out of view of the security camera,
17 Sandlin along with several others are observed on the video footage acting in an aggressive
18 manner towards the USCPs.

19 Further investigation revealed another video posted to the internet of a large crowd
20 of individuals breaching one of the doors leading into the U.S. Capitol. There are several
21 USCP officers attempting to hold back the large surge of individuals trying to push past
22 them to get inside the building. A much smaller group of individuals located behind the
23 USCP officers can be seen in the video attempting to remove the USCP officers from the
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1 doorway to allow for the individuals outside the U.S. Capitol building to come inside. In
2 the video, Sandlin—with the same bright orange sweatshirt, baseball cap, backpack, and
3 camera equipment—is observed as part of the group of individuals already inside the U.S.
4 Capitol and behind the USCP officers. Sandlin is observed reaching out and attempting to
5 rip the helmet off of a U.S. Capitol Police officer (USCP4), while USCP4 is facing away
6 from Sandlin and attempting to fight back the large group of individuals trying to enter the
7 Capitol.

8 On or about January 15, 2021, law enforcement reviewed the publicly-available
9 content for the “Ronnie.Sandlin” Facebook account (“Facebook account”), including posts
10 dated January 6, 2021. On January 22, 2021, law enforcement again reviewed the
11 Facebook account, which no longer contained any posts from January 6, 2021. This is
12 consistent with comments written by other Facebook users on the Facebook account related
13 to posts made by Sandlin on January 6, 2021, where the Facebook users call out Sandlin for
14 removing his posts related to his activities on January 6, 2021. These comments and
15 Sandlin’s apparent removal of all posts related to January 6, 2021 on the Facebook account
16 that Sandlin has actively sought to remove or edit items posted to the Facebook account in
17 an effort to evade prosecution and detection by law enforcement.

18 In one Facebook post from December 23, 2020, Sandlin posted as follows:

19 Who is going to Washington D.C. on the 6th of January? I’m
20 going to be there to show support for our president and to do
21 my part to stop the steal and stand behind Trump when he
22 decides to cross the rubicon. If you are a patriot I believe it’s
23 your duty to be there. I see it as my civic responsibility. If
24 you’re going comment below or PM me so we can meet up.

Sandlin also posted in response to a comment from Nate DeGrave: “cool man I’m driving from Memphis if you want to join. Probably gonna rent a car and drive there. Assume flights into and surrounding DC will be shutdown because they don’t want people to come and they will blame in on Covid.” In a post made on December 31, 2020, Sandlin stated:

Dear Patriots, I’m organizing a caravan of patriots who are going to Washington D.C. to stand behind our president Donald J. Trump. I posted about this last week and a got almost a dozen messages from people asking how they can help or expressing their wish to participate somehow. Josiah Colt, Nate DeGrave, and myself have already booked and paid for our trip to Washington D.C. but we could use your help and support! Every dollar you contribute to us is a smack in the face to Antifa. Every penny is a boot in the ass against tyranny. Every Buffalo nickel is a body slam against China. If you can’t be there in person this is the next best thing. We will be documenting our journey and every contributor will get a personal thank you video shot on location in Washington D.C. and will be featured as a contributor on the video mini documentary. Share, comment, like, and hate on us in the comments.”

In this post, Sandlin referred to two other individuals who also booked their trips to DC: “Josiah Colt” and “Nate DeGrave.”² The post also contains a link to a GoFundMe webpage³ appearing to depict Sandlin in a car holding what appears to be a semi-automatic rifle and the caption “Patriots Defending Our Country On Jan. 6th, organized by Ronnie Sandlin.”

Investigators reviewed another “selfie”-style video, received as an anonymous online tip, of Sandlin, Colt, and DeGrave inside a restaurant. The majority of the video appears to

² Josiah Colt and Nate DeGrave, whom investigators believe were present with Sandlin inside the Capitol building during the riot, have been charged in the District Court for the District of Columbia with multiple offenses in connection with the Capitol riot.

³ GoFundMe is a social fundraising online platform allowing individuals to raise money for a particular cause or reason.

1 depict Sandlin wearing the same bright orange sweatshirt and black rimmed glasses as the
2 individual seen in the images described above. Based on some of Sandlin's statements in
3 the video, it appears this video was recorded after a rally in DC the morning of January 6,
4 2021, but prior to the Capitol riot.

5 In the video, Sandlin says, no less than three times, "*freedom is paid for with blood.*"
6 Sandlin is also heard saying:

7 Alright so we have been at the protests...we were there pretty
8 early, scoped it out...there were some scimmages, I will upload
9 the video later...I think a precursor of what is going to [happen]
10 in a few hours. People are really mad...it is just a precursor to
11 what's going to happen...Either way there is going to be
12 violence.

11 A little later in the video, Sandlin states:

12 What is happening to this country is absolutely horrific,
13 absolutely horrific...we are ready to occupy the state capitol if
14 needed to...I urge other patriots watching this too, to be willing
15 to take the capitol...*if you are watching this and you are a patriot
16 and are here, I think it is time to take the capitol and I don't say that
17 lightly....* I am willing to do it, I willing to go and fight for this
18 country. Even if that means I have to sacrifice in some capacity.
19 It is not what I want to do...

17 In the video, Sandlin appears to hand the device used to record the video to two
18 other individuals who have since been identified as Josiah Colt and Nathan DeGrave.
19 Sandlin refers to Colt in the video as "Josiah" before handing the phone over to Colt. In the
20 video, Colt states that "they are leaving bricks everywhere. There are piles of bricks. It
21 seems like they are encouraging people to riot, because they are leaving stacks of bricks
22 around the city." Sandlin interrupts Colt, stating "allegedly." Colt replies: "No, there are
23 pictures, dude...Nate, show him." DeGrave then shows a picture on his phone of what
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1 appeared to be a stack of bricks. Sandlin proceeds to ask “Nate” if he wants “to say
2 something,” at which point DeGrave responds:

3 “We are out here protecting the country, if shit goes down, if
4 Pence does what we think he is going to do. Then we are here
5 to defend this city, defend any city in this country. Let Antifa try
6 us, we are here, we are ready. I say bring it. We are not silent
7 anymore.

8 Colt then says: “The whole thing is a scam, dude. The whole election, they can’t just steal
9 an election. Like they are trying to do in Georgia last night. It is a lie.” DeGrave responds:

10 “We are sick and tired of the fucking lies. It is time to put an end to this once and for all.”

11 Sandlin replies: “You either have conviction and you stand up for what you believe in or
12 you sit down and shut the fuck up...” Towards the end of the video, Sandlin stated:

13 *If we need to occupy the capitol, we will occupy the capitol.* You
14 guys are driving all the way to DC and you are missing the rally.
15 We have been at the rally, we went last night, we have been at
16 the rally since six in the morning. We needed to grab a bite to
17 eat, and like decompress because we went through a few intense
18 moments and also regroup and plan for the next....one o’clock
19 is when it is all going to go down. So we are going to be there
20 back by one o’clock when it is action time it is game time.

21 These statements appear to refer to the joint session of Congress at the U.S. Capitol building
22 that began at approximately 1:00 p.m. Eastern Standard Time (EST).

23 Further investigation revealed a video posted to Youtube titled “Josiah Colt Says
24 Violence at the Capital Might be Necessary.” In the video, Sandlin and Colt were
interviewed alongside an individual believed to be DeGrave dressed in tactical gear—i.e.,
black body armor, a helmet, and a face mask—and a red-white-and-blue bandanna around
his neck. In the video, Colt says “[i]f violence happens, it happens” and “we’re just hear to

1 defend ourselves.” Sandlin then interjects, stating that he “support[s] Trump” and, again,
2 that “*freedom is paid for with blood.*”

3 Based on the defendant’s actions on January 6, 2021, the above-referenced complaint
4 and arrest warrant were issued on January 20, 2021.

5 **B. Sandlin’s Whereabouts after January 6, 2001, and Arrest on January 28, 2021**

6 On January 20, 2021, law enforcement spoke with an individual (“Witness 1”)
7 affiliated with the former residence of Sandlin, located in Memphis, TN. Witness 1
8 informed law enforcement that Sandlin had broken his lease and vacated the premises in
9 November 2020, and that they had seen him in the Memphis area approximately two weeks
10 ago—i.e., shortly before or after the riot at the Capitol on January 6. Witness 1 stated that
11 Sandlin had told him/her that he would be heading back to California. Witness 1 further
12 advised that Sandlin is a confrontational person and frequently armed.

13 On January 9, 2021, Josiah Colt, who traveled with Sandlin and DeGrave, as
14 described above, was charged by criminal complaint with two misdemeanor unlawful entry
15 charges in the District Court for the District of Columbia, and a warrant was issued for his
16 arrest. Colt self-surrendered to authorities in Idaho on January 12, 2021. Colt’s arrest and
17 public apology for his actions at the Capitol riot were widely publicized,⁴ including on his
18 social media.

19 According to various provider returns in response to legal process, on January 16,
20 2021, Sandlin’s email account logged in through an IP address associated with the physical
21 address in Millington, TN that appears on Sandlin’s driver’s license and vehicle registration.

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⁴ See, e.g., [https://www.kmvt.com/2021/01/13/idaho-man-arrested-in-connection-with-us-](https://www.kmvt.com/2021/01/13/idaho-man-arrested-in-connection-with-us-capitol-riot/)
24 [capitol-riot/](https://www.kmvt.com/2021/01/13/idaho-man-arrested-in-connection-with-us-capitol-riot/).

1 A check of law enforcement databases revealed that Sandlin's vehicle was spotted on
2 January 16, 2021, in Shawnee, OK, which is located on Interstate 40, a route one would
3 take if headed west from Tennessee to California or Nevada.

4 On January 20, 2021, the FBI received a tip that Sandlin was staying at a residence
5 in Tustin, CA. A search of law enforcement databases revealed that Sandlin's vehicle was
6 spotted in Hesperia, CA on January 22, 2021, but surveillance efforts to locate Sandlin in
7 California were unsuccessful.

8 On January 28, 2021, cell-site data for Sandlin's phone received pursuant to a search
9 warrant led investigators in the FBI Las Vegas division to locate and visually identify
10 Sandlin's vehicle parked outside the Las Vegas apartment complex where DeGrave was
11 confirmed to reside. That same day, Sandlin was spotted leaving the apartment and taken
12 into custody by the FBI.

13 IV. ARGUMENT

14 There are four factors under § 3142(g) that the Court should consider and weigh in
15 determining whether to detain a defendant pending trial: (1) the nature and circumstances of
16 the offense charged; (2) the weight of the evidence against the defendant; (3) his history and
17 characteristics; and (4) the nature and seriousness of the danger to any person or the
18 community that would be posed by his release. *See* 18 U.S.C. §3142(g). In consideration of
19 these factors, the government respectfully submits that there are no conditions or
20 combinations of conditions that can effectively ensure the safety of any other person and the
21 community.

1 **A. Nature and Circumstances of the Offenses Charged**

2 During the course of the January 6, 2021, siege of the U.S. Capitol, multiple law
3 enforcement officers were assaulted by an enormous mob, which included numerous
4 individuals with weapons, bulletproof vests, and pepper spray who were targeting the
5 officers protecting the Capitol. The violent crowd encouraged others in the crowd to work
6 together to overwhelm law enforcement and gain unlawful entry into the U.S. Capitol.

7 The defendant's conduct is extremely troubling. As noted above, on January 6,
8 2021, the defendant joined a large mob that substantially outnumbered law enforcement at
9 the rotunda entrance to the U.S. Capitol. In addition to his unlawful entry into the Capitol
10 and disorderly conduct while inside, Sandlin assaulted police officers on two separate
11 occasions in two different locations in the Capitol that day. On one occasion, he attempted
12 to rip an officer's helmet off as the officer tried to hold back the mob trying to rush into the
13 Capitol through one of its entrances. On the occasion, he engaged in a shoving match with
14 an officer attempting to lock and secure a set of doors inside the Capitol.

15 The defendant's assaultive behavior contributed to the mob's ability to successfully
16 breach and wander the U.S. Capitol, putting additional law enforcement officers and
17 members and staff of Congress at grave risk. The defendant's actions thus partly enabled
18 other rioters to commit multiple other criminal acts inside the building.

19 In addition to his actions within the Capitol on January 6, Sandlin's actions prior to
20 the riot are equally if not more disturbing. As described in detail above, Sandlin espoused
21 an intent and determination to "take the Capitol" and encouraged those on their way to DC
22 or already in DC to join in the effort. In other words, Sandlin was inciting violence, as that
23 term is colloquially understood. In the restaurant video posted to his social media as well as
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1 the media interview with Colt described above, Sandlin said at least four times that
2 “freedom is paid for with blood.” Clearly his purpose was to join a violent mob to enter the
3 U.S. Capitol and disrupt the vote count of the Electoral College as it met to certify the
4 results of the 2020 Presidential Election.

5 The defendant combined his criminal intention to interfere with the functioning of
6 Congress with multiple violent assaults on the law enforcement officers trying to protect that
7 function. As a result, the nature and circumstances of these offenses overwhelmingly weigh
8 in favor of detention.

9 **B. Weight of the Evidence Against the Defendant**

10 The second factor to be considered, the weight of the evidence, also clearly weighs in
11 favor of detention. The evidence against the defendant is quite strong and compelling. As
12 noted above, the defendant was observed on U.S. Capitol surveillance cameras and cell-
13 phone footage captured by others present at the riot attacking law enforcement officers.
14 Additionally, social media videos capture the defendant smoking what appears to be a
15 marijuana joint in the Senate Chamber and boasting of his unlawful entry into the U.S.
16 Capitol. Lastly, in a Facebook post, Sandlin admits to his unlawful entry into the Capitol
17 that day, stating that “[w]e occupied and for the most part left that place relatively put
18 together all things considered.” This factor thus weighs heavily in favor of detention.

19 **C. Defendant’s History and Characterizes**

20 The government recognizes that the defendant does not have a significant criminal
21 history. However, the defendant’s actions, as demonstrated by his apparent willingness to
22 engage in assaultive behavior as part of a violent mob and his clear incitement of others to
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1 “take the Capitol,” should give this Court great concern about the danger he would pose to
2 the community if released.

3 **D. Danger to the Community and Flight Risk**

4 The fourth factor, the nature and seriousness of the danger to any person or the
5 community posed by a defendant’s release, also weighs in favor of the defendant’s
6 detention. The charged offenses involve assaultive conduct as part of a violent mob.
7 Sandlin has also been described as a witness as “frequently armed” and can be seen in his
8 social media posts wielding different guns. He clearly stated his intention to occupy the
9 Capitol by force and stop the functioning of our government as it met to certify election
10 results, repeating his apparent battle cry—“freedom is paid for with blood”—on numerous
11 occasions. The danger the defendant caused by assisting the violent mob cannot be
12 understated. The defendant was a spoke in the wheel that caused the historic events of
13 January 6, 2021, and he is thus a danger to our society and a threat to the peaceful
14 functioning of our community.

15 In addition, as demonstrated in the Factual Background section, despite surely
16 knowing—based on his public streaming of his criminal conduct on social media and the
17 prompt arrest of his co-conspirator Josiah Colt—that he was wanted by the FBI in
18 connection with his actions at the U.S. Capitol, the defendant decided that he should leave
19 his residence in Tennessee and head west rather than turn himself into authorities. He
20 subsequently turned up outside the residence of his other co-conspirator, Nate DeGrave,
21 approximately 1,600 miles from his residence. As such, Sandlin is a demonstrated flight
22 risk.

IV. Conclusion

For the above reasons, the Government submits that there is no condition or combination of conditions that will reasonably assure the safety of any other person and the community, or Sandlin's appearance in court, if he is released, and therefore the Court should grant the government's motion to detain him.

Respectfully submitted this 1st day of February 2021.

NICHOLAS A. TRUTANICH
United States Attorney

s/ Nicholas D. Dickinson
Nicholas D. Dickinson
Assistant United States Attorney